

CCRB INVESTIGATIVE RECOMMENDATION

Investigator: Charlie Hartford	Team: Squad #8	CCRB Case #: 202003003	<input type="checkbox"/> Force	<input type="checkbox"/> Discourt.	<input type="checkbox"/> U.S.
			<input checked="" type="checkbox"/> Abuse	<input type="checkbox"/> O.L.	<input type="checkbox"/> Injury
Incident Date(s) Thursday, 05/23/2019 11:14 AM	Location of Incident: the 34th Precinct stationhouse	Precinct: 34	18 Mo. SOL 11/23/2020	EO SOL 7/10/2021	
Date/Time CV Reported Fri, 05/01/2020 1:42 PM	CV Reported At: CCRB	How CV Reported: Phone	Date/Time Received at CCRB Fri, 05/01/2020 1:42 PM		

Complainant/Victim	Type	Home Address

Subject Officer(s)	Shield	TaxID	Command
1. POF Senia Taveras	12120	929442	034 PCT

Witness Officer(s)	Shield No	Tax No	Cmd Name
1. DTS Haydee Pabey	2703	924296	034 PCT
2. POF Katharine Gardner	00141	938532	034 PCT

Officer(s)	Allegation	Investigator Recommendation
A.POF Senia Taveras	Abuse: Police Officer Senia Taveras did not process § 87(2)(b) s complaint regarding officers.	

Case Summary

On May 23, 2019, § 87(2)(b) filed this complaint with the CCRB via phone under original case number § 87(2)(b). On May 1, 2020, this case was generated to address the portion of this complaint which occurred at the 34th Precinct stationhouse, while CCRB § 87(2)(b) retained allegations occurring at the 33rd Precinct stationhouse.

On May 23, 2019, at approximately 11:14 a.m., at the 34th Precinct stationhouse in Manhattan, Police Officer Sonia Taveras failed to process § 87(2)(b)'s complaint against officers (Allegation A: Abuse of Authority, § 87(2)(g)).

This case contains stationhouse video footage; however, it does not depict § 87(2)(b) interacting with officers (Board Review 01).

Findings and Recommendations

Allegation (A) Abuse of Authority: Police Officer Senia Taveras did not process § 87(2)(b)'s complaint regarding officers.

In his sworn statement, § 87(2)(b) described arriving at the 34th Precinct stationhouse at around 11:14 a.m. and speaking with an officer, identified by the CCRB as PO Taveras, who approached from behind the desk (Board Review 02). The CCRB identified PO Taveras as the subject of this allegation because she is the only officer who was assigned the role of desk sergeant or telephone switchboard operator during the relevant time frame who matches the description provided by § 87(2)(b) (specifically, PO Taveras is § 87(2)(b)). § 87(2)(b) described the subject officer as a Hispanic female who stood 5'5", was of a slightly heavyset build, and was 40-50 years old). § 87(2)(b) told PO Taveras that he wished to file a complaint against two officers who had issued him two traffic summonses. PO Taveras gave § 87(2)(b) the CCRB's number on a sheet of paper and told him that since the officers were from the 33rd Precinct, he would need to go to the 33rd Precinct stationhouse to file a complaint.

During her CCRB interview on August 31, 2020, PO Taveras, who was working as the T/S operator on the date of incident, voiced having no recollection of this incident, and claimed that her understanding on the date of incident was that she would be required to provide a civilian complaint form to § 87(2)(b) (Board Review 03). PO Taveras acknowledged that she was the subject of a substantiated failure to process civilian complaint allegation in CCRB case 201902985; however, PO Taveras claimed during her CCRB interview that during this incident, she had conferred with a supervisor who told her to simply refer the complainant to the CCRB, which is why she did not properly process the complaint.

The case file for CCRB 201902985 indicates that during the incident, PO Taveras was alleged to have pointed at a CCRB poster on the wall instead of properly processing a civilian's complaint (Board Review 04). During her CCRB interview for that case on May 31, 2019, PO Taveras voiced an understanding that no paperwork needed to be completed by herself when a civilian files a complaint at the stationhouse, and that she merely needed provide the CCRB's number or explain the process for filing a complaint via 311 (Board Review 05).

As noted above, the stationhouse footage obtained by the investigation does not depict the incident, likely due to § 87(2)(b) providing an inaccurate time of occurrence (Board Review 01).

§ 87(2)(g)

Patrol Guide Procedure 207-31 states that, when a civilian appears in person at a department facility and alleges misconduct by a uniformed member of service, the member-of-service receiving the complaint is required to give the complainant a Civilian Complaint Report to be prepared in the complainant's own handwriting (Board Review 06). Should the complainant not want to immediately make a complaint, the member-of-service must provide the civilian with the first copy of the Civilian Complaint Report and additionally provide the Civilian Complaint Review Board's phone number.

Civilian and Officer CCRB Histories

- § 87(2)(b)
- PO Taveras has been a member of service for 17 years. In that time, she has been the subject of seven allegations in four other cases, four of which were substantiated.
 - In CCRB 201116175, PO Taveras was the subject of substantiated allegations regarding a stop, a frisk and a threat of summons. The CCRB recommended charges, while the NYPD disposition indicates that PO Taveras received instructions.
 - In CCRB 201902985, PO Taveras was the subject of a substantiated allegation regarding a refusal to process civilian complaint. PO Taveras received instructions consistent with the CCRB's recommendation.

Mediation, Civil and Criminal Histories

- § 87(2)(b) rejected mediation (Board Review 02).
- § 87(2)(b) did not file a Notice of Claim regarding this incident (Board Review 08).
- According to the Office of Court Administration database, § 87(2)(b) has no criminal convictions in New York City (Board Review 07).

Squad No.: 8

Investigator:	<u>Charlie Hartford</u>	<u>Charlie Hartford</u>	<u>10/7/20</u>
	Signature	Print Title & Name	Date

Squad Leader:	<u>Ethan De Angelo</u>	<u>IM Ethan De Angelo</u>	<u>10/7/2020</u>
	Signature	Print Title & Name	Date

Reviewer:	<u></u>	<u></u>	<u></u>
	Signature	Print Title & Name	Date

